

FINANCE (LOTTERIES) DEPARTMENT

The 8th October, 1973

No. DOL/HR/73/5490.—The Governor of Haryana is pleased to make the following rules for the conduct of Mini Draws of the Haryana State Lotteries during the currency of the 48th Draw, namely :—

1. These Rules may be called the Rules for the conduct of Mini Draws during the currency of the 48th Draw of Haryana State Lotteries.
2. There shall be Mini Draws of Haryana State Lotteries on every Tuesday commencing from the 9th October to 16th October, 1973, with the following prizes :—

1st Prize (5) Return Air Trip for one person to Kashmir or Rs. 1,000 down cash (One prize from each Series).

2nd Prize (60) Rs. 100 each (Twelve numbers to be drawn which will be applicable to all the Series).

3rd Prize (120) Rs. 50 each (All tickets preceding and succeeding the ticket winning the prize of Rs. 100 shall be eligible for a prize of Rs. 50 each).

3. All tickets of the 48th Draw sold prior to the day of the Draw shall be included in each Mini Draw and shall again be eligible for prize during the final Draw to be held on the 30th October, 1973.

4. One ticket shall win only one prize. However, more than one prize will be admissible to a ticket in case of Mini Draws.

5. The procedure of the Draw shall be the same as prescribed for a Regular Draw. The Mini Draws will be held in the presence of Judges.

H. K. JAIN, I.A.S.,

Director of Lotteries and Deputy Secretary to Government, Haryana,
Finance Department.

HARYANA STATE LOTTERIES

The 8th October, 1973

No. DOL/HR/73/5508.—The Governor of Haryana is pleased to select the following persons as Judges for the supervision of the 1st Mini Draw to be held on Tuesday, the 9th October, 1973 :—

- (1) Shri P. C. Wadhwa, IPS,
Deputy Inspector-General of Police,
Haryana, Chandigarh.
- (2) Shri B. N. Duggal,
Under-Secretary to Government, Haryana,
Finance Department, Chandigarh.
- (3) Shri I. S. Kadan,
Deputy Inspector-General of Prisons,
Haryana, Chandigarh.
- (4) Mrs M. Isa Dass,
W/o Shri M. Isa Dass, I.A.S.,
Managing Director, Haryana Tanneries Ltd., Chandigarh.
- (5) Shri H. K. L. Bakshi (Retd. Under-Secretary),
Kothi No. 1079, Sector 8-C, Chandigarh.

H. K. JAIN, I.A.S.,

Director of Lotteries and Deputy Secretary to Government, Haryana,
Finance Department.

URBAN ESTATES DEPARTMENT

The 3rd October, 1973

No. A(1)-73/13489.—In connection with the framing of Building Rules under the Punjab Urban Estates (Development and Regulation) Act, 1964 (as amended by Haryana Act No. 26 of 1973), the Governor of Haryana is pleased to constitute a Committee consisting of the following :—

- (1) Shri G. S. Nangia,
Senior Town Planner (Rural),
Haryana

Convener

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|--|--------|
| (2) Shri J. C. Chopra,
Senior Town Planner (Urban),
Haryana, | Member |
| (3) Shri S. P. Vohra,
Senior Town Planner (Panchkula),
Chandigarh | " |
| (4) Shri R. R. Handa,
Senior Architect,
Haryana | " |
| (5) One Representative
of Chief Engineer,
P. W. D., B & R. Br., Haryana,
Chandigarh | " |
| (6) One Representative
of Chief Engineer,
P. W. D., Public Health Branch,
Haryana, Chandigarh | " |
| (7) Estate Officer, Faridabad | " |

The Committee may opt one Architect from the private architects working in Faridabad, if and when necessary.

2. The Committee will study the existing Building Bye-laws framed under the Punjab Scheduled Roads and Controlled Areas Restrictions of Unregulated Development Act, 1963, and after making necessary amendments, shall propose to the Government within a period of two months, the Building Bye-laws under the Punjab Urban Estates (Development and Regulation) Act, 1964 (as amended by Haryana Act No. 26 of 1973).

3. The Headquarters of the Committee will be at Faridabad.

P. L. CHHABRA,
Secretary to Government, Haryana,
Town and Country Planning and Urbana
Estates Departments, Chandigarh.

LABOUR DEPARTMENT

The 1st October, 1973

No. 9904-4Lab-73/33515.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s S. Kumar & Company (P) Ltd., 13/7, Mathura Road, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 55 of 1972

between

SHRI SUKH PARSHAD NANDAN AND THE MANAGEMENT OF M/S S. KUMAR &
COMPANY (P) LTD., 13/7, MATHURA ROAD, FARIDABAD.

Present—

Shri Darshan Singh, for the workman,
Nemo for the management.

AWARD

By order No. ID/FD/771-A-71/4614, dated 9th February, 1972, of the Governor of Haryana, the following disputes between the management of M/s S. Kumar & Company (P) Ltd., 13/7, Mathura Road, Faridabad, and its workman Shri Sukh Nandan Parshad was referred for adjudication to this Court, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Sukh Nandan Parshad was justified and in order? If not, to what relief is he entitled?

Usual notices were given to the parties. The notice issued to the management has been received back with the report of the postman that the factory has since been closed. The workman concerned has also not turned up and his authorised representative Shri Darshan Singh, President, Faridabad Industrial Workers Union, Faridabad, through whom the demand notice leading to the present reference was given has stated that he has no instructions from the workmen to proceed with the reference and produce evidence in support of his claim. He has further shown his ignorance as to whether the factory is still working or has been closed as reported by the postman.

In view of the above, the reference cannot proceed and the presumption is that the workman concerned has no dispute with the management whether on account of the closure of the factory or otherwise.

A no dispute award is therefore given. There shall be no order as to costs.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Dated 17th September, 1973.

No. 2286, dated 24th September, 1973.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

The 9th August, 1973.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 9903-4 Lab-73/33517.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Haryana, Rohtak, in respect of the dispute between the workmen and management of M/s National Air Products, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 79 of 1970

between

SHRI KAILASH SINGH AND THE MANAGEMENT OF M/S NATIONAL AIR PRODUCTS, FARIDABAD

Present—

Shri Roshan Lal Sharma, for the workmen.

Shri S. L. Gupta, for the management.

AWARD

Shri Kailash Singh, concerned workman, was in the service of M/s National Air Products, Faridabad. His services were allegedly terminated by the management and his demand for reinstatement was also rejected. The matter was taken up for conciliation which ended in failure.

The Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the dispute for adjudication to this court,—*vide* order No. ID/FD/309-D/8941-45, dated 26th March, 1969, with the following term of reference:—

Whether the termination of services of Shri Kailash Singh was justified and in order? If not, to what relief is he entitled?

Usual notices were given to the parties. The management contested the claim of the workman mainly on the ground that, as a matter of fact, he had voluntarily abandoned service and had got some other employment at Gwalior. It was further urged that at the time of leaving service he had collected his full dues. the following 3 issues are framed by my learned predecessor:—

- (1) Whether the workman voluntarily abandoned the service of the respondent?

- (2) Whether the workman has got another employment in a firm at Gwalior; if so, what is its effect?
- (3) Whether the workman has collected his dues in full and final settlement and now there is no dispute between the parties?

The management has relied upon the statement of Shri A. V. Ganpati, Administrative Officer, earlier recorded in the case and Exs. M. 1, M. 2 and M. 3 referred to therein. Shri Kailash Singh has not come forward to make any statement to deny the above plea of the management and to pursue his claim. His authorised representative Shri Roshan Lal Sharma, President, General Labour Union, Faridabad, through whom the demand notice leading to the present reference has been given has stated that in spite of his best efforts he could not contact the workman for want of his whereabouts and that, in the circumstances, he does not want to proceed with the reference.

In view of the above, the presumption is irresistible that, as a matter of fact, the workman concerned had himself abandoned service realised his full dues and that he is now working in another firm at Gwalior as alleged by the management. In other words there exists no industrial dispute between the parties and as such the workman is not entitled to any relief. The issues involved are decided against him and the award is made accordingly. There shall be no order as to costs.

Dated the 20th September, 1970.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2282, dated 24th September, 1973.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 9902-4Lab-73/33519.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Usha Spinning and Weaving Mills, 12/1, Mathura Road, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA ROHTAK

Reference No. 146 of 1972

between

SHRIMATI CHANDER MUKHI AND THE MANAGEMENT OF M/S USHA SPINNING AND WEAVING MILLS, 12/1, MATHURA ROAD, FARIDABAD

Present—

Shri Darshan Singh, for the worker.

Shri S. N. Sukhla, for the management.

AWARD

Shrimati Chander Mukhi was in the service of M/s Usha Spinning and Weaving Mills Ltd., 12/1, Mathura Road, Faridabad. Her services were terminated by the management. She raised a demand for reinstatement but without any satisfactory response from the management. This gave rise to an industrial dispute.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the above dispute for adjudication to this court for adjudication,—vide order No. ID/FD/72/14781-85, dated 19th April, 1972, with the following term of reference:

"Whether the termination of services of Shrimati Chander Mukhi was justified and in order? If not, to what relief she is entitled?"

Usual notices were given to the parties who have arrived at an amicable settlement as per the memorandum of settlement dated 5th July, 1973 Ex. M. 1 on record. The worker concerned has been paid wages for 6 Months on *ad hoc* basis in full and final settlement of her entire claims against the management and she has given up her right of reinstatement or re-employment. The memorandum of settlement is signed by Shri Darshan Singh, President Textile Mazdoor Union (Regd.) Faridabad through whom the demand notice leading to the present reference had been given and he has made a statement in the court admitting the above settlement between the parties.

The award is accordingly made in terms of the above settlement holding that the worker concerned is not entitled to any other relief in the present reference. No order as to costs.

Dated 17th September, 1973,

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2279 dated 24th September, 1973

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Candigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 9906-4Lab-73/33521.—In pursuance of the provisions of section 17 of the Industries Disputes Act, 1947 (Act No. VI of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/S. Frick India Ltd., 13/3 Main Mathura Road, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK.

Reference No. 215 of 1971

between

SHRI GOBIND VALLABH AND THE MANAGEMENT OF M/S FRICK INDIA LTD.,
13/3 MAIN MATHURA ROAD, FARIDABAD.

Present :—

Shri Darshan Singh, for the workman.

Shri S. L. Gupta, for the management.

AWARD

Shri Gobind Vallabh concerned workman was in the service of M/S Frick India Ltd., 13/3 Main Mathura Road, Faridabad. His services were terminated with effect from 30th July, 1971. He raised a demand for reinstatement but without any satisfactory response from the management. This gave rise to an industrial dispute. The matter was taken up for conciliation which also ended in failure.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 referred the above dispute for adjudication to this court,—*vide* order No. ID/FL/324-E-71/32275-79, dated 4th November, 1971, with the following term of reference.

“Whether the termination of services of Shri Gobind Vallabh was justified and if not, to what relief is he entitled ?

Usual notices were given to the parties and they put their respective written statements. The management contested the claim of the workman mainly on the ground that he was only a probationer and his work having not been found to be upon the mark his services had to be terminated as per the Certified Standing Orders of the Company.

From the pleadings of the parties the only issue that arose for determination in the case was as per the term of reference stated above.

The management has examined one witness Shri N. M. Vijon, Personnel Officer who has proved several documents namely copy of the letter of appointment dated 9th July, 1970 Ex. M.W. 1/1 showing that the appointment was on probation for 6 months, assessment report about his work M.W. 1/2, copy of the order dated 8th January, 1971 Ex. M.W. 1/3 extending the period of probation for 3 months, another assessment report Ex. M.W. 1/4, copy of the order dated 8th April, 1971 Ex. M.W. 1/5 by which the probation period was further extended till 31st January, 1971, final assessment report dated 10th July, 1971 Ex. M.W. 1/6 and copy of the order dated 28th July, 1971 Ex. M.W. 1/7 by which his services were terminated. Certified Standing Orders of the Company have also been produced.

On the other hand Shri Govind Vallabh concerned workman has made his own statement. In cross-examination he has admitted his signatures on Ex. M.W. 1/1, M.W. 1/3, M.W. 1/5 and also the receipt of the letter copy Ex. M.W. 1/7.

Arguments have been addressed on both sides and I have given a very careful consideration to the facts on record which speak for themselves. A perusal of the letter of appointment of the workman copy Ex. M.W. 1/1 would show that his appointment made on 9th July, 1970 was on probation for a period of 6 months. As per the assessment report Ex. M.W. 1/2 his work was not found to be upto the mark. The probation period was extended for 3 months by order dated 8th January, 1971 copy Ex. M.W. 1/3. His assessment report, however, did not show any improvement,—*vide* Ex. M.W. 1/4 but the probation period was again extended for 3 months,—*vide* order dated 8th March, 1971 Ex. M.W. 1/5. The final assessment report on record Ex. M.W. 1/6 would further reveal that his progress was not satisfactory and considering his performance during the past about 12 months, the management decided not to keep him in service and hence the letter of termination of his services Ex. M.W. 1/7. According to the Certified Standing Orders of the Company, the services of a probationer could be terminated if he did not show his work to be satisfactory within the period of probation and as started M.W. 1 a worker could be entitled to automatic confirmation only on completion of service for 13 months. Nothing to the contrary has been proved or shown on behalf of the workman.

From the facts discussed above, it would be clear that the services of the present workman had been terminated by the management only when he had failed to improve his work during the probation period extended from time to time and before he had completed 13 months of service and in the circumstances, the management was fully justified to do so. He being only a probationer the management was under no obligation to retain in service when his work had not been found to be satisfactory. The issue involved is, therefore, decided against him and in favour of the management. The award is made accordingly and it is held that Shri Gobind Vallabh concerned workman was not entitled to any relief by way of reinstatement or payment of back dues, the termination of his service being justified and in order. There shall be no order as to costs.

Dated 20th September, 1973

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana-
Rohtak.

No. 2283 dated 24th September, 1973

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court Haryana-
Rohtak.

No. 9904-4Lab-73/33523.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. VIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Printers House (P) Ltd., Ballabgarh.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA ROHTAK

Reference No. 91 of 1973

between

SHRI FATEH SINGH AND THE MANAGEMENT OF M/s PRINT 'RS HOUSE (P) LTD.,
BALLABGARH.

Present:-

Shri Darshan Singh, for the workman.
Shri S. L. Gupta, for the management.

AWARD

Shri Fateh Singh concerned workman was in the service of M/s Printers House (P) Ltd., Ballabgarh. His services were terminated by the management w. e. f. 18th December, 1969. Feeling aggrieved, he raised a demand for reinstatement but without success. This gave rise to an Industrial dispute.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 referred the above dispute for adjudication to this court, —vide No. ID/FD/89-A/19386, dated the 25th June 1971, with the following term of reference :—

"Whether the termination of services of Shri Fateh Singh was justified and in order? If not, to what relief is he entitled?

Usual notices were given to the parties and they put in their respective written statements. The workman reiterated his claim for reinstatement and payment of back wages as earlier raised through the demand notice which forms part of the present reference. The management contested his claim mainly on the ground that he had been dismissed from service after proper enquiry into the charges of misconduct. The issue that arose for determination in the case is precisely the same as per term of reference stated above.

The management has relied upon the enquiry proceedings and the Enquiry Officer has been examined. It is however not necessary to go into the merits of the case as an amicable settlement has been arrived at. The workman concerned had approached the management for settlement of his account and a sum of Rs. 285 found due as per mutual calculation has been paid to him in full and final settlement of his entire claims against the management today in the court and he has given up his right of reinstatement or re-employment.

The award is accordingly made in terms of the above settlement holding that Shri Fateh Singh concerned workman is not entitled to any other relief by way of reinstatement or payment of dues. In the circumstances, there shall be no order as to costs.

the 18th September, 1973.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2281, dated the 24th September, 1973.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. [SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 9901-4Lab-73/33525.—In pursuance of the provisions of section 17 of the Industries Disputes Act, 1947 (Act No. VIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Usha Spinning and Weaving Mills Ltd., 12/1 Mathura Road, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No 145 of 1972

between

SMT. CHAMELI DEVI AND THE MANAGEMENT OF M/S. USHA SPINNING AND
WEAVING MILLS LTD., 12/1 MATHURA ROAD, FARIDABAD.

Present :—

Shri Darshan Singh for the worker.

Shri S. N. Sukhla for the management.

AWARD

Smt. Chameli Devi was in the service of M/s. Usha Spinning and Weaving Mills Ltd., 12/1 Mathura Road, Faridabad. Her services were terminated by the management. She raised a demand for reinstatement but without any satisfactory response from the management. This gave rise to an industrial dispute.

On receipt of the failure report from the Conciliation Officer, the Governor, of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 referred the above dispute for adjudication to this court.—vide order No. ID/FD/72/14719-23, dated 18th April, 1972, with the following term of reference.

"Whether the termination of services of Smt. Chameli Devi was justified and in order ? If not, to what relief is she entitled ?"

Usual notices were given to the parties who have arrived at an amicable settlement as per the memorandum of settlement dated 5th July 1973 Exhibit M. 1 on record. The worker concerned has been paid wages for 6 months on *ad hoc* basis in full and final settlement of her entire claims against the management and she has given up her right of reinstatement or re employment. The memorandum of settlement is signed by Shri Darshan Singh, President, Textile Mazdoor Union (Regd) Faridabad through whom the demand notice leading to the present reference had been given and he has made a statement in the court admitting the above settlement between the parties.

The award is accordingly made in terms of the above settlement holding that the worker concerned is not entitled to any other relief in the present reference. No order as to costs.

Dated 17th September, 1973.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 2278, dated 24th September, 1973.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 9907-4-Lab-73/33527.—In pursuance of the provisions of section 17 of the Industries Disputes Act, 1947 (Act No. VIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s. Haryana Steel Tubes, 15/2 Mathura Road, Faridabad,

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 211 of 1971

between

SHRI BHAGWAN DASS AND THE MANAGEMENT OF M/S HARYANA STEEL TUBES, 15/2
MATHURA ROAD, FARIDABAD

Present:—

Shri Darshan Singh for the workmen.

Shri H. R. Dua, for the management.

AWARD

The following dispute between the management of M/s Haryana Steel Tubes, 15/2 Mathura Road, Faridabad and its workman Shri Bhagwan Dass was referred for adjudication to this court by order No. ID/FD/617-B-71/31673-77 dated 26th September, 1971 of the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Bhagwan Dass was justified and in order ? If not to what relief is he entitled ?

On receipt of the order of reference, the parties were called upon to put in their respective written statements. The management has taken the plea that as a matter of fact, this workman had settled his dispute on 17th September, 1971 and received payment of Rs. 300 in full and final settlement of his entire claims against the management with the result that there was no industrial dispute left between the parties. Shri Bhagwan Dass concerned workman has failed to appear to make his statement to refute the above plea taken on behalf of the management which finds support in the receipt of payment of Rs. 300 duly signed by him read with the statement on oath the then Factory Manager Shri Ashok Kumar. Shri Darshan Singh authorised representative of the workman and President, Faridabad Engineering Workers Union (Regd), Faridabad through whom the demand notice leading to the present reference had been given has stated that he had written to the workman but he is not coming forward to admit or deny the said receipt produced by the management and in the circumstances he is not in a position to refute the plea of final settlement taken by the management and proceed with the present reference.

In view of the above, the presumption is irresistible that as a matter of fact, the workman concerned had received Rs 300 from the management in full and final settlement of his entire claims as stated above and as such there was no industrial dispute left between the parties which could validly be referred for adjudication. The award is accordingly made holding that Shri Bhagwan Dass concerned workman is not entitled to any relief. There shall be no order as to costs.

Dated 19th September, 1973

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2284, dated the 24th September, 1973

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 9903-4Lab-73/33717.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s American Universal Electric (India) Ltd., Faridabad:—

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 82 of 1970

between

SHRI MATROO LAL AND THE MANAGEMENT OF M/S AMERICAN UNIVERSAL ELECTRIC
(INDIA) LTD., FARIDABAD.

Present :

Shri Bhim Singh Yadav for the workman.

Shri S. L. Gupta for the management.

AWARD

The following dispute between the management of M/s American Universal Electric (India) Ltd., Faridabad and its workman Shri Matroo Lal was referred for adjudication to this court,—*vide* order No. ID/FD/301-A-68/4131-35, dated 3rd February, 1970 of the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Matroo Lal was justified and in order? If not, to what relief is he entitled?

Usual notices were given to the parties and they put in their respective written statements. The claim of the workman for reinstatement and payment of back wages was contested on behalf of the management on the plea that he had in fact resigned his post. The following 2 issues arose for determination in the case:—

1. Whether the applicant has resigned his post ?
2. If issue No. 1 is not proved, whether the termination of services of Shri Mattoo Lal was justified and in order ? If not, to what relief is he entitled ?

It is, however, not necessary to go into the merits of the case as the workman has admittedly settled his account and received payment of his dues, in full and final settlement of his entire claims against the management, as stated by his authorised representative Shri Bhim Singh Yadav who had given the demand notice leading to the present reference.

In view of the above, a no dispute award is given in the case. In the circumstances, there shall be no order as to costs.

O. P. SHARMA,

Dated 18th September, 1973.

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 228), dated 24th September, 1973

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 4th October, 1973

No. 9908-4L,b-73 33719.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and management of M/s Inspi Auto Industries (P) Ltd., Faridabad:—

**BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK**

Reference No. 57 of 1972

between

**SHRI BUDH SINGH AND THE MANAGEMENT OF M/S INSPI AUTO INDUSTRIES (P) LTD.,
FARIDABAD**

Present.—

Shri Darshan Singh, for the workman.

Shri S. L. Gupta, for the management.

AWARD

Shri Budh Singh was in the service of M/s Inspi Auto Industries (P) Ltd., Faridabad. The management allegedly terminated his services. He raised a demand for reinstatement but without success. This gave rise to an industrial dispute and on receipt of the failure report from the Conciliation Officer, the Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947 referred the above dispute for adjudication to this court,—vide Order No. ID/FD/262-E-71/4644, dated 9th February, 1972, with the following term of reference:—

“Whether the termination of services of Shri Budh Singh was justified and in order? if not, to what relief is he entitled?”

Usual notices were given to the parties. The stand taken on behalf of the management as stated by his authorised representative Shri S. L. Gupta is that, as a matter of fact, this workman had settled his account and received payment of his dues in full and final settlement of his claims and as such there was no industrial dispute left between the parties. Shri Budh Singh concerned workman has not turned up. His authorised representative Shri Darshan Singh, President, Faridabad Industrial Workers Union, Faridabad through whom the demand notice leading to the present reference had been given has stated that he has no instructions from the workman to proceed with the reference and dispute the contention raised on behalf of the management regarding final settlement of the claim of the workman.

In the circumstances, the reference can not proceed and the presumption is that, as a matter of fact, this workman had settled his account, received payment of his dues in full and final settlement of his claims against the management, with the result that there was no industrial dispute calling for adjudication by this court. A no dispute award is, therefore, made. No order as to costs.

Dated 17th September, 1973

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2285, dated 24th September, 1973

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 5th October, 1973

No. 9978-4Lab -73/33900.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workman and the management of M/s Calts Engineers, Faridabad:—

BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 91 of 1973
between

SHRI TILAK BAHADUR WORKMAN AND THE MANAGEMENT OF M/S CALTS ENGINEERS,
FARIDABAD

Present—

Nemo for the workman.
Shri P. Sisodia, Manager, for the management.

AWARD

The following dispute between the management of M/s Calts Engineers, Plot No, 101, Sector-6, Faridabad and its workman Shri Tilak Bahadur was referred to this Tribunal for adjudication,—*vide* order No. ID/FD/72/17800 dated 23rd May, 1973, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Tilak Bahadur was justified and in order ? If not, to what relief is he entitled ?”

On receipt of the order of reference usual notices were given to the parties. The workman concerned has not appeared nor his authorised representative Shri Bhim Singh Yadav, union leader through whom the demand notice leading to the reference had been given. The management has filed the written statement pleading final settlement of the dispute with the workman and a copy of the memorandum of settlement dated 27th February, 1973 has also been produced. Statement of Shri P. Sisodia, Manager, has been recorded. The said settlement was brought about in the presence of the Conciliation Officer under section 12(3) of the Industrial Disputes Act, 1947. The original settlement is signed by Shri Tilak Bahadur workman and its perusal would show that this settlement was brought about between the parties after the Conciliation Officer had submitted his failure report. According to the settlement the management had agreed to pay Rs 100 *ex gratia* to the workman besides his earned wages amounting to Rs 50. The payment of Rs 150 was made to him through the authority under the Workmen’s Compensation Act, i.e., the Labour-cum-Conciliation Officer, Ballabgarh in whose presence the settlement had been brought about. Another sum of Rs 1,120 was due to the workman by way of compensation on account of the injuries sustained by him in the course of his employment and this amount was also paid to him on the same day through the said authority.

In view of the above, there was no dispute left between the parties calling for adjudication because as per the terms of the settlement. The workman had foregone his right of reinstatement or re-employment in lieu of the amount paid to him, as stated above, and that is why he has not turned up to pursue his claim in the present reference himself or through the union leader.

The award is accordingly made holding that Shri Tilak Bahadur is not entitled to any relief. There shall be no order as to costs.

Dated 24th September, 1973.

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1073, dated the 24th September, 1973.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 24th September, 1973.

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9977-4Lab -73/33902.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s Inspi Auto Industries, Private Ltd., Mathura Road, Faridabad :—

BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD
Reference No. 18 of 1972
between

THE WORKMEN AND THE MANAGEMENT OF M/S INSPI AUTO INDUSTRIES, PRIVATE LTD.,
MATHURA ROAD, FARIDABAD

Present—Shri Darshan Singh for the workmen.
Shri S.L. Gupta for the management.

AWARD

By order No. ID/FD/262-A-71/4273, dated 7th February, 1972 of the Governor of Haryana the following dispute between the management of M/s Inspi Auto Industries, Private Ltd., Mathura Road, Faridabad and its workmen were referred for adjudication to this Tribunal in exercise of the powers conferred by clause (d) of sub-section (1) of the section 10 of the Industrial Disputes Act, 1947 :—

- (1) Whether the management should pay bonus to the workers for the year 1970-71 ? If so, with what details ?
- (2) Whether the management should pay dearness allowance to the workers ? If so, with what details ?
- (3) Whether the management should supply uniforms to the workers ? If so, with what details ?
- (4) Whether the management should fix the scales and grades of pay for their workmen ? If so, with what details ?
- (5) Whether the workers should be granted sick leave as provided under Industrial Establishment (National and Festival Holidays and Casual and Sick Leave) Act, 1965 for the days they do not get sickness benefits under the Employees State Insurance Act ? If so, with what details ?

On receipt of the order of reference usual notices were given to the parties who have arrived at an amicable settlement as per the terms and conditions given in the memorandum of settlement dated 2nd August, 1973 Ex. M-1 which is signed by as many as 56 workmen. Statements of the parties have been recorded.

In view of the above no further proceedings were called for in the case and the award is made as per terms and conditions given in the memorandum of settlement Ex. M-1 which shall form part of the award. In the circumstances, there shall be no order as to costs.

Dated 24th September, 1973.

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana
Faridabad.

No. 1108, dated the 24th September, 1973

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Dated the 24th September, 1973

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

SETTLEMENT BETWEEN THE WORKMEN AND THE MANAGEMENT OF M/S INSPi AUTO INDUSTRIES, PRIVATE LIMITED, MATHURA ROAD, FARIDABAD (HARYANA) INDIA

Representing Employer ... Mr. Madhukar Passi.

Representing Workmen ... All the workmen of the Factory.

SHORT RECITAL OF THE CASE

Whereas an Industrial Dispute regarding Bonus for 1970-71, D.A., Uniforms, Grades and Scales and Sick Leave, is pending before the Hon'ble, Presiding Officer, Industrial Tribunal, Haryana, Faridabad, registered as Ref. No. 18/72. Both the Parties have mutually negotiated all the demands pending before the Hon'ble Presiding Officer, Industrial Tribunal, Haryana, Faridabad and have settled their Disputes with the Management in terms appearing herein below :—

1. *Bonus for 1970-71.*—The Management has paid bonus for the year 1970-71 at 4 per cent of the Wages earned by the Workmen in the relevant year and the Workmen hereby accept the above bonus in full and final settlement of their claim for bonus for the relevant year.

2. *Dearness Allowance.*—That the Management has agreed to pay Rs 12.50 paisa to each such Workmen who has not got the benefit of the difference in the cost of living Index No. as provided by the Haryana Gazette Notification No. 1115-32-70/2829, dated February, 1970 fixing Minimum rate of wages in the year 1971. In view of this, the Workmen have settled their demand for Dearness Allowance.

3. *Uniforms.*—That the Management has agreed to provide aprons as provided in the Indian Factories Act for such Workmen who work on dangerous machines, the demand for uniform stands withdrawn.

4. In view of the weak financial position of the Company, the Workmen do not press their demand for grades and scales of pay.

5. That the Management has already giving 14 days Sick Leave with half pay as provided under Punjab Industrial Establishment (National and Festival Holiday, Casual and Sick Leave Act, 1965).

6. That the Workmen authorize Shri Raj Pal, Ram Pal, Hira Mani to appear before the Hon'ble Presiding Officer, Industrial Tribunal, Haryana, Faridabad on the next date of hearing and will file this settlement praying that an Award be given in terms of this settlement. These Representatives will make the Statement on behalf of all the Workmen of the Factory.

7. That authority letter given to Shri Pashm Singh or to any other Officer of the Trade Union stands hereby withdrawn. They are not entitled to represent the Workmen onwards.

Both the Parties Sign this settlement in token of their having accepted the above terms and Conditions on this day of 2nd August, 1973 at Faridabad (Haryana) in the presence of witnesses :—

Signed on behalf of Management of Inspi
Auto Industries (P) Ltd., Faridabad.
(Haryana)

Signed by all the Workmen of Inspi Auto
Industries, (P) Ltd., Faridabad, (Haryana).

Witness (i) (Sd.)

(ii) (Sd.)

ATTESTED

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.